

2. That subsequent to the conveyances as described in paragraph 1. above, John S. Long conveyed unto Nellie E. Baumgardner on May 29, 1940, all the lands of which were possessed by John M. Long by deed dated and recorded May 31, 1940, among the aforesaid Land Records in Liber 423, folio 565 (a copy of said deed is attached hereto as Complainants Exhibit I).

3. That in subsequent conveyances the property referred to in paragraphs 1 and 2 was conveyed unto the Complainants herein by deed dated the 15th day of September, 1981, from Becton, Dickinson and Company and recorded among the aforesaid Land Records in Liber 1156, folio 582. (Exhibit II).

4. That at the time the Complainant's negotiated for the purchase of the property in question, Becton, Dickinson and Company had a survey done on the property to be purchased by the Complainants.

5. The survey done on behalf of Becton, Dickinson and Company confirmed prior metes and bounds descriptions that included all the property between a lane on the north entering into the main parcel to be purchased and Owens Creek on the south, a parcel about 6.27 acres in size. Said property is shown as "Residual Portion of Parcel No. 7 L. 925, F. 807 6.27 acres" on a plat marked Exhibit "B" and attached hereto as Exhibit III.

6. However, it was determined at the time of said survey that Richard A. Killmeier and Lila R. Killmeier, two of the Respondents, had conveyed four (4) acres of the 6.27 acres shown by the survey to belong to Becton, Dickinson and Company. Said conveyance was from Richard A. Killmeier and Lila R. Killmeier, his wife, unto Long View Enterprise, Inc., a body corporate, dated February 27, 1981, and recorded in Liber 1141, folio 542, among the aforesaid Land Records. (Exhibit IV).